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Victims of Pay Equity Discrimination Face New Delays

OTTAWA - November 9, 2000 - "Victims of discrimination in the Bell Canada pay equity dispute now face greater uncertainty as a result of the recent Federal Court of Canada decision to halt proceedings in the case," says the Canadian Human Rights Commission.

In her November 3 decision, Justice Danièle Tremblay-Lamer found that the Canadian Human Rights Tribunal was not an "institutionally independent and impartial body," bringing to a halt the Bell Canada pay equity hearings.

The Commission has grave concerns about the delay that this decision will cause and has acted quickly to file an appeal. "We are asking the Federal Court to expedite its appeal hearing into the Bell Canada case," said CHRC Chief Commissioner Michelle Falardeau-Ramsay.

While the Federal Court decision has affected another pay equity case before the Tribunal, no hearings have been stopped to date. In fact, the Commission continues to refer cases to Tribunal.

The Canadian Telephone Employees' Association (CTEA), the Communications, Energy, and Paperworkers Union of Canada (CEP), and a Montreal-based employees' group, Femmes-Action, filed pay equity complaints against Bell Canada, alleging that persons in predominantly female jobs were paid less than those in predominantly male jobs for work of equal value. The organizations represent more than 20,000 employees throughout Bell Canada's workforce.

Since this case was referred to tribunal in 1996, Bell Canada has launched a number of legal challenges, including one with respect to the independence of the Tribunal. This led to a decision by Madame Justice McGillis, in March 1998, which stated that the Tribunal was not independent. Following that decision, the Canadian Human Rights Act was amended and, in 1999, a new panel was appointed to hear the pay equity complaint against Bell Canada. However, Bell again challenged the institutional independence of the Tribunal under the new legislation.

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